REMARKS/ARGUMENT

This Response is responsive to the December 20, 2004 Office Action Summary, wherein the amendment filed June 1, 2004 was objected to under 35 U.S.C. §132 based upon the assertion that it did not completely clarify the introduction of new matter into the disclosure identified from the previously [filed] Office Action.

In particular, the Examiner questioned whether the material from the last paragraph of page 11 to the first full paragraph of page 12 had adequate support from pages 7-10 of the original specification or FIG. 2. The paragraph in question is as follows:

> "With reference to FIG. 2, the present invention's method of apportionment of non-object related profit measure specifies a method or allocation model (25) which will not change the ordinal or cardinal profit contribution ranking when only marginal profit measures are counted. This specification is what makes it possible to apply marginal measurement rules or models(20) with macro economic principals. The invention decomposes profit measurement and analytical calculations into five classifications, namely:
>
> Marginal profit measures or funds transfer pricing (21) associated with use of the business' balance sheet resources;
> Marginal cost measures or event costing (22);
> Marginal measures or non-interest revenues (23) (non-interest or balance sheet related revenue);
> Marginal measures of expected costs or revenues, also referred to as provisioning (24); and
> Apportioned costs or indirect costing (26). These profit measurement analytical calculations result in a detailed profit measure (27)."

Applicant derived this "new" paragraph from the first and second paragraphs of page 8 of the Summary of the Invention as follows:

> "The invention's method of apportionment of non-object related profit measures specifies a method which will not change the ordinal or cardinal profit contribution ranking when only marginal profit measures are counted. This specification is what makes it possible to apply marginal measurement rules (see Micro-economic theory literature) with macro economic principals; namely the sum-of-the-parts equals the whole criterion which is the basis of financial accounting theory and practice.
>
> The invention decomposes profit measurement analytical calculations into five classifications:
>
> 1. Marginal profit measures associated with use of the business' balance sheet resources;
> 2. Marginal measures of non-balance oriented revenues;
> 3. Marginal cost measures;
> 4. Marginal measures of expected costs or revenues; and,
> 5. Apportioned cost measures."

FIG. 2 is directed to such a method of apportionment of non-object related profit measure and specifies or allocation model (25) which arrives at a detailed profit measure (27) by considering indirect costing (26) and marginal models (20) including funds transfer pricing (21), event costing (22), non-interest revenue (23) and provisioning (24). These classifications (21-24 and 26) correspond with the five classifications listed on page 8 of the Summary of the Invention. The new paragraph extending from page 11 to page 12 is merely a melding of the originally filed paragraph on page 8 and that disclosed in FIG. 2. For the most part, it is verbatim. Accordingly,

applicant once again asserts that this new paragraph does indeed have basis in the disclosure filed originally and does not introduce new matter.

The Examiner also questioned whether the material from the first full paragraph of page 12 has adequate support from FIG. 3 of the original specification. The portion in question extending from the first paragraph of page 12 through the first paragraph of page 13 is as follows:

> "With reference now to FIG. 3, once all five profit component measures are summed from the lowest level of profit detail (the "profit object"), a consistent set of profit values for all types of aggregations (30) are possible. DPM is based on object level detail sourced from a business systems of record's cash flows (31), sourced from ~~of~~ customer's transactions, (object oriented events) (33) and sourced from management allocations of profit arising from non-customer related events (34). DPM provides both marginally ~~and~~ or fully absorbed profit measures using activity based costing techniques(35), something traditional "general ledger" based profit accounting systems can not accomplish due to reliance on aggregate debit and credit amounts ~~(see Figs. 2-4.)~~ This results in the smallest common component of profit measurement desired – the profit object (32) common to the business' organizations, products or customers."

Applicant previously indicated that all of the information in this paragraph was derived from FIG. 3. In fact, the information which was amended into this paragraph was also obtained from the Summary of the Invention, and finds support in other portions of the specification as well. For example, at the end of the first paragraph of page 8 of the Summary of the Invention states:

> "This invention does this through a consistent application of measures to a class of business entities which represent the smallest common component of profit measurement desired - the Profit Object."

Thus, the object (32) of FIG. 3 is in fact the profit object, or the smallest, component of profit measurement desired, as stated in the original specification as indicated above.

The "from the lowest level of profit detail" addition on page 12 which the Examiner specifically referred to as not having support from the original specification is found on page 8, final paragraph, as follows:

> "This classification provides for additive profit measures across the five components. The calculation process is designed to be independent across classes 1, 2, 3, & 4 above with the addition of class five to preserve sum-of-the-parts integrity without simultaneous calculations typically found in profit measurement processes. **When all five profit measures are summed at the lowest level of profit detail, a consistent set of profit values for all types of aggregations are possible** - all profit measurement then originates from the same point in a profit database." (Emphasis added.)

The aggregation (30) portion of FIG. 3, is thus supported in the Summary of the Invention of the original Specification. The remaining amendments were simply the inclusion of all of the steps or boxes of FIG. 3, which would have been reasonably understood by one skilled in the art and not introducing "new" matter.

With respect to claims 49, 56 and 59, these are dependent claims which are substantially similar or identical to claims which were restricted from the application previously. However, the remaining claims, 44-48, 50-

55, 57 and 58 are of a scope as previously discussed in Applicant's September 22, 2004 Supplemental Response and are not directed to different inventions, rather, but are merely various combinations of the subject-matter recited in claims 1-15, which had been previously considered and are not subject as to the restriction requirement.

Applicant reasserts that claims 1-9, 11-13, 16-59 are patentable for the reasons discussed in the May 26, 2004 Amendment.

Respectfully submitted,
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